

AMENDED IN ASSEMBLY APRIL 5, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 1436

Introduced by Assembly Member Baca

February 22, 2005

An act to add Section ~~69433.3~~ 69433.2 to the Education Code, relating to student financial aid, ~~making an appropriation therefor~~, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1436, as amended, Baca. Student financial aid: Cal Grant Program: ~~funding for teacher preparation~~ *military veterans*.

Existing law, the Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Act, establishes the Cal Grant A and B entitlement awards, the California Community College Transfer Entitlement awards, the Competitive Cal Grant A and B awards, the Cal Grant C awards, and the Cal Grant T awards under the administration of the Student Aid Commission, and establishes eligibility requirements for awards under these programs for participating students attending qualifying institutions.

This bill would, notwithstanding any other provision of law, provide that any California resident who has ~~served honorably in the Armed Forces of the United States~~ is eligible for a Cal Grant award if he or she is enrolled in a program of professional teacher preparation or in occupational or technical training, as defined, and agrees to repay the amount of the grant if he or she fails to obtain a full-time teaching position at a public elementary or secondary school within the state within one year after the expiration of the award.

The bill would require the Executive Director of the Student Aid Commission to determine the amount, if any, of funds that have been

~~appropriated to the commission for use for Cal Grant entitlement awards in the 2004-05 fiscal year or a prior fiscal year that, in the judgment of the executive director, will not be used for those awards. The bill would further require the executive director to allocate 50% of those funds for Cal Grant awards for eligible students currently enrolled in programs of professional preparation that have been approved by the Commission on Teacher Credentialing, and to allocate the other 50% of those funds for loan assumption payments for persons who have worked no less than one year, and no more than 5 years, as full-time instructors in a school district in this state, and who are eligible for benefits under the Assumption Program of Loans for Education, which is administered by the commission.~~

~~Because the bill would authorize that funds already appropriated for Cal Grant awards be used for a new purpose, it would make an appropriation~~ *been honorably discharged from the Armed Forces of the United States, or who is, or who has been, a member of the California National Guard, the California State Military Reserve, or the California Naval Militia, and who, in that capacity, was called to active service, as defined, is eligible for a Cal Grant award if he or she is enrolled for at least the required academic load in a qualifying institution, and he or she submits an application in a timely manner.*

The bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: ~~yes~~*no*. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 ~~SECTION 1. Section 69433.3 is added to the Education~~
- 2 ~~Code, to read:~~
- 3 ~~SECTION 1. Section 69433.2 is added to the Education Code,~~
- 4 ~~to read:~~
- 5 ~~69433.2. (a) Notwithstanding any other provision of law, any~~
- 6 ~~California resident who has been honorably discharged from the~~
- 7 ~~Armed Forces of the United States, or who is, or has been, a~~
- 8 ~~member of the California National Guard, the California State~~
- 9 ~~Military Reserve, or the California Naval Militia, and who, in~~
- 10 ~~that capacity, was called to active service within the meaning of~~
- 11 ~~Section 146 of the Military and Veterans Code, is eligible for a~~
- 12 ~~Cal Grant award if he or she meets both of the following criteria:~~

1 (1) He or she is currently enrolled for a minimum of six
2 semester units, or the equivalent number of quarter units, in a
3 qualifying institution, or is currently enrolled on at least a
4 half-time basis in occupational or technical training as defined in
5 Section 69439.

6 (2) He or she submits an application in a timely manner.

7 (b) The Department of Veterans Affairs shall determine
8 whether an individual meets the requirement of an honorable
9 discharge from the Armed Forces of the United States set forth in
10 subdivision (a). The Military Department shall determine
11 whether an individual meets the requirements of service in the
12 California National Guard, the California State Military
13 Reserve, or the California Naval Militia set forth in subdivision
14 (a).

15 SEC. 2. This act is an urgency statute necessary for the
16 immediate preservation of the public peace, health, or safety
17 within the meaning of Article IV of the Constitution and shall go
18 into immediate effect. The facts constituting the necessity are:

19 In order to address the urgent need to aid military veterans,
20 and others, who are interested in beginning their careers, it is
21 necessary that this act take effect immediately.

22 ~~69433.3. (a) Notwithstanding any other provision of law, any~~
23 ~~California resident who has served honorably in the Armed~~
24 ~~Forces of the United States is eligible for a Cal Grant award if he~~
25 ~~or she meets both of the following criteria:~~

26 ~~(1) Is currently enrolled for a minimum of six semester units,~~
27 ~~or the equivalent number of quarter units, in a program of~~
28 ~~professional preparation that has been approved by the~~
29 ~~Commission on Teacher Credentialing, or is currently enrolled~~
30 ~~on at least a half-time basis in occupational or technical training~~
31 ~~as defined in Section 69439.~~

32 ~~(2) He or she agrees, in writing, to repay the amount of the~~
33 ~~grant if he or she fails to obtain a full-time teaching position at a~~
34 ~~public elementary or secondary school within the state within one~~
35 ~~year after the expiration of the award.~~

36 ~~(b) The Military Department shall determine whether an~~
37 ~~individual meets the requirements of honorable service in the~~
38 ~~Armed Forces of the United States set forth in subdivision (a).~~

39 SEC. 2. ~~Notwithstanding any other provision of law:~~

~~(a) The Executive Director of the Student Aid Commission shall determine the amount, if any, of funds that have been appropriated to the commission for use for Cal Grant entitlement awards in the 2004-05 fiscal year or a prior fiscal year that, in the judgment of the executive director, will not be used for those awards.~~

~~(b) The executive director shall allocate the amount determined under subdivision (a) as follows:~~

~~(1) Fifty percent of that amount shall be used for Cal Grant awards for eligible students currently enrolled in programs of professional preparation that have been approved by the Commission on Teacher Credentialing.~~

~~(2) Fifty percent of that amount shall be used for loan assumption payments for persons who have worked no less than one year, and no more than five years, as full-time instructors in a school district in this state, and who are eligible for benefits under the Assumption Program of Loans for Education pursuant to Article 5 (commencing with Section 69612) of Chapter 2 of Part 42 of the Education Code.~~

~~SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:~~

~~In order to address the urgent need to aid military veterans, and others, who are interested in entering teaching careers, and to assist those persons who are beginning their careers as public school teachers, it is necessary that this act take effect immediately.~~